

Before the State of South Carolina
Department of Insurance

In the matter of:)	
)	File Number 105037
Glenwood F. Warner, Sr.)	
)	Default Order Revoking
)	Resident Insurance Agent's License
2 Angle Street)	
Caribou, Maine 04736)	
_____)	

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2000), by the State of South Carolina Department of Insurance upon Glenwood F. Warner, Sr. both certified mail, return receipt requested, and by regular mail on March 7, 2001.

By that letter, Warner was informed of his right to request a public hearing upon the allegations of impropriety contained within the letter against him. Further, he was warned that his failure to make a timely, written request would result in my summary revocation of his license to do business as a resident insurance agent within the State of South Carolina. **Despite that warning, Warner has failed to respond to the Department's letter. Warner has failed to provide the Department with a current address in violation of S.C. Code Ann. § 38-43-107 (Supp. 2000), and the United States Postal Service returned as undeliverable the letter sent by the Department.** On April 20, 2001 therefore, counsel for the Department filed an Affidavit of Default, and the entire matter was submitted directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that in applying for a non-resident insurance license for this state Warner provided false and misleading statements in his application concerning prior criminal convictions. I find further that Warner was convicted by the Caribou District Court, Caribou Maine, of "Negotiating a Worthless Instrument" in The State of Maine vs. Glenwood Warner (Criminal) Docket Number Car-Cr-99-933.

S.C. Code Ann. § 38-43-130 (Supp. 2000) provides: "The director or his designee may revoke or suspend an agent's license after ten day's notice...when it appears that an agent has been convicted of a crime of moral involving moral turpitude...." The crime of Negotiating a Worthless Instrument involves moral turpitude. In addition providing of a false and misleading statement on an application for a non-resident insurance agent license is a violation of the above named statute. State v. Harrison, 298 S. C. 888, 880 S.E.2d 818 (1989).

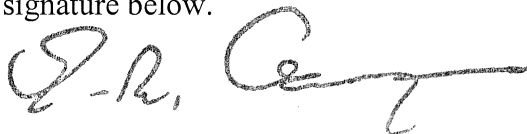
In accordance with my findings of fact, and considering Warner's failure to avail himself of his opportunity to be heard, I now conclude, as a matter of law, that Warner was convicted of a crime of moral turpitude, and provided a false and misleading statement in his application for a non-resident insurance license and that his non-resident insurance agent license should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-40-10, *et seq.* (1991 and Supp. 2000). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110 (4) (Supp. 2000), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

It is therefore ordered that Glenwood F. Warner, Sr.'s license to transact business as a non-resident insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to him.

It is further ordered that a copy of this order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Warner is currently licensed, through the State of South Carolina Department of Insurance, as a non- resident insurance agent within the State of South Carolina.

This order takes effect upon the date of my signature below.

A handwritten signature in dark ink, appearing to read "E. N. Csiszar", with a long horizontal flourish extending to the right.

Ernst N. Csiszar
Director

20 April 2001, at
Columbia, South Carolina